

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

State of Illinois  
Department of Transportation,  
Petitioner,

v.

Norfolk Southern Railway Company and the  
Blue Ridge Road District,  
Respondents.

Petition to designate six crossings (DOT/AAR No. 543 303J,  
DOT/AAR 543-301V, DOT/AAR 543-298P, DOT/AAR 543-296B,  
DOT/AAR 543-294M and DOT/AAR 543-292Y) as exempt pursuant  
to 625 ILCS 5/11-1202; all situated in the Blue Ridge Road District,  
Piatt County, Illinois.

Docket No. 703-0007

RECEIVED  
JAN 27 2003

Illinois Commerce Commission  
RAIL SAFETY SECTION

PETITION

NOW COMES the Illinois Department of Transportation ("Department"), by its attorney Lisa Madigan, Attorney General, to request an order of the Illinois Commerce Commission ("ICC") designating the above captioned crossing located in the Blue Ridge Road District, Piatt County, Illinois as exempt pursuant to 625 ILCS 5/11-1202 and in support of said Petition, the Petitioner states as follows:

Count I

1. A rail line currently owned by the Norfolk Southern Railway Company, one of the respondents herein ("NS"), is situated in Blue Ridge Road District ("District"), which is directly east of the City of Farmer City.
2. That within the District limits, Township Road 700E is a public roadway under the jurisdiction of the District, which crosses the aforesaid line of railroad at grade. Said crossing is identified as DOT/AAR 543-303J.
3. That approximately 50 feet north of the at-grade crossing, Township Road 700E intersects with Illinois Route 150 (A location map reflecting the location of this crossing is attached hereto and marked as Exhibit A).
4. That Illinois Route 150 is under the jurisdiction of the Department, and that all highway traffic control devices/signs governing the flow of traffic along Illinois Route 150 and the flow of traffic to and from Township Road 700E are under Department jurisdiction.
5. The aforesaid crossing is currently protected by cross-bucks (A photograph of the crossing is attached hereto and marked as Group Exhibit B-1).

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6. Highway traffic over the aforesaid crossing is substantial in volume, which includes school buses and other large vehicles required to stop at all railroad grade crossings. Due to the short storage space, larger vehicles negotiating the at-grade in question encroach the eastbound lane of Illinois Route 150 during the required stop.
7. Railroad traffic on the rail line over the aforesaid crossing is zero. More specifically, the trackage has been disconnected from the mainline track at a location approximately 1.8 miles west and at another location approximately 5.4 miles east of the crossing in question. Said crossing is no longer in service. (Photographs showing the locations where the track is disconnected are attached hereto and marked as Group Exhibit C-1, C-2 and C-3 respectively).
8. By reason of the lack of railroad traffic and the large volume of highway traffic over the aforesaid crossing, stopping at the crossing is an unnecessary restriction on certain aforementioned vehicles according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law.
9. The installation of "EXEMPT" signage on either side of the railroad tracks of the at-grade crossing is necessary in the interest of public safety.
10. The Department agrees to bear the cost for the requested relief.

WHEREFORE, Petitioner, State of Illinois, Department of Transportation, respectfully requests that the Commission enter an Order as follows:

- A. Designate grade crossing DOT/AAR 543-303J as "EXEMPT" within the meaning of Section 18c-7401 of the Illinois Commercial Transportation Law;
- B. Direct the Petitioner to install and maintain "EXEMPT" signs upon the sign posts at its own cost; and
- C. Provide for such other or further relief as the Commission may deem appropriate.

#### Count II

1. A rail line currently owned by the Norfolk Southern Railway Company, one of the respondents herein ("NS"), is situated in Blue Ridge Road District ("District"), which is directly east of the City of Farmer City.
2. That within the District limits, Township Road 800E is a public roadway under the jurisdiction of the District, which crosses the aforesaid line of railroad at grade. Said crossing is identified as DOT/AAR 543-301V.
3. That approximately 45 feet north of the at-grade crossing, Township Road 800E intersects with Illinois Route 150 (A location map reflecting the location of this crossing is attached hereto and marked as Exhibit A).
4. That Illinois Route 150 is under the jurisdiction of the Department, and that all highway traffic control devices/signs governing the flow of traffic along Illinois Route 150 and the flow of traffic to and from Township Road 800E are under Department jurisdiction.
5. The aforesaid crossing is currently protected by flashing signals, crossbucks, advanced warning signs, bells (1) and sidelights (A photograph of the crossing is attached hereto and marked as Group Exhibit B-2).

6. Highway traffic over the aforesaid crossing is substantial in volume, which includes school buses and other large vehicles required to stop at all railroad grade crossings. Due to the short storage space, larger vehicles negotiating the at-grade in question encroach the eastbound lane of Illinois Route 150 during the required stop.
7. Railroad traffic on the rail line over the aforesaid crossing is zero. More specifically, the trackage has been disconnected from the mainline track at a location approximately 2.5 miles west and at another location approximately 4.5 miles east of the crossing in question. Said crossing is no longer in service. (Photographs showing the locations where the track is disconnected are attached hereto and marked as Group Exhibit C-1, C-2 and C-3 respectively).
8. By reason of the lack of railroad traffic and the large volume of highway traffic over the aforesaid crossing, stopping at the crossing is an unnecessary restriction on certain aforementioned vehicles according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law.
9. The installation of "EXEMPT" signage on either side of the railroad tracks of the at-grade crossing is necessary in the interest of public safety.
10. The Department agrees to bear the cost for the requested relief.

WHEREFORE, Petitioner, State of Illinois, Department of Transportation, respectfully requests that the Commission enter an Order as follows:

- A. Designate grade crossing DOT/AAR 543-301V as "EXEMPT" within the meaning of Section 18c-7401 of the Illinois Commercial Transportation Law;
- B. Direct the Petitioner to install and maintain "EXEMPT" signs upon the sign posts at its own cost; and
- C. Provide for such other or further relief as the Commission may deem appropriate.

### Count III

1. A rail line currently owned by the Norfolk Southern Railway Company, one of the respondents herein ("NS"), is situated in Blue Ridge Road District ("District"), which is directly east of the City of Farmer City.
2. That within the District limits, Township Road 900E is a public roadway under the jurisdiction of the District, which crosses the aforesaid line of railroad at grade. Said crossing is identified as DOT/AAR 543-298P.
3. That approximately 50 feet north of the at-grade crossing, Township Road 900E intersects with Illinois Route 150 (A location map reflecting the location of this crossing is attached hereto and marked as Exhibit A).
4. That Illinois Route 150 is under the jurisdiction of the Department, and that all highway traffic control devices/signs governing the flow of traffic along Illinois Route 150 and the flow of traffic to and from Township Road 900E are under Department jurisdiction.
5. The aforesaid crossing is currently protected by one (1) cross-buck (A photograph of the crossing is attached hereto and marked as Group Exhibit B-3).

6. Highway traffic over the aforesaid crossing is substantial in volume, which includes school buses and other large vehicles required to stop at all railroad grade crossings. Due to the short storage space, larger vehicles negotiating the at-grade in question encroach the eastbound lane of Illinois Route 150 during the required stop.
7. Railroad traffic on the rail line over the aforesaid crossing is zero. More specifically, the trackage has been disconnected from the mainline track at a location approximately 3.6 miles west and at another location approximately 3.5 miles east of the crossing in question. Said crossing is no longer in service. (Photographs showing the locations where the track is disconnected are attached hereto and marked as Group Exhibit C-1, C-2 and C-3 respectively).
8. By reason of the lack of railroad traffic and the large volume of highway traffic over the aforesaid crossing, stopping at the crossing is an unnecessary restriction on certain aforementioned vehicles according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law.
9. The installation of "EXEMPT" signage on either side of the railroad tracks of the at-grade crossing is necessary in the interest of public safety.
10. The Department agrees to bear the cost for the requested relief.

WHEREFORE, Petitioner, State of Illinois, Department of Transportation, respectfully requests that the Commission enter an Order as follows:

- A. Designate grade crossing as "EXEMPT" as DOT/AAR 543-298P within the meaning of Section 18c-7401 of the Illinois Commercial Transportation Law;
- B. Direct the Petitioner to install and maintain "EXEMPT" signs upon the sign posts at its own cost; and
- C. Provide for such other or further relief as the Commission may deem appropriate.

#### Count IV

1. A rail line currently owned by the Norfolk Southern Railway Company, one of the respondents herein ("NS"), is situated in Blue Ridge Road District ("District"), which is directly east of the City of Farmer City.
2. That within the District limits, Township Road 1000E is a public roadway under the jurisdiction of the District, which crosses the aforesaid line of railroad at grade. Said crossing is identified as DOT/AAR 543-296B.
3. That approximately 50 feet north of the at-grade crossing, Township Road 1000E intersects with Illinois Route 150 (A location map reflecting the location of this crossing is attached hereto and marked as Exhibit A).
4. That Illinois Route 150 is under the jurisdiction of the Department, and that all highway traffic control devices/signs governing the flow of traffic along Illinois Route 150 and the flow of traffic to and from Township Road 1000E are under Department jurisdiction.
5. The aforesaid crossing is currently protected by one (1) crossbuck (A photograph of the crossing is attached hereto and marked as Group Exhibit B-4).

6. Highway traffic over the aforesaid crossing is substantial in volume, which includes school buses and other large vehicles required to stop at all railroad grade crossings. Due to the short storage space, larger vehicles negotiating the at-grade in question encroach the eastbound lane of Illinois Route 150 during the required stop.
7. Railroad traffic on the rail line over the aforesaid crossing is zero. More specifically, the trackage has been disconnected from the mainline track at a location approximately 4.7 miles west and at another location approximately 2.4 miles east of the crossing in question. Said crossing is no longer in service. (Photographs showing the locations where the track is disconnected are attached hereto and marked as Group Exhibit C-1, C-2 and C-3 respectively).
8. By reason of the lack of railroad traffic and the large volume of highway traffic over the aforesaid crossing, stopping at the crossing is an unnecessary restriction on certain aforementioned vehicles according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law.
9. The installation of "EXEMPT" signage on either side of the railroad tracks of the at-grade crossing is necessary in the interest of public safety.
10. The Department agrees to bear the cost for the requested relief.

WHEREFORE, Petitioner, State of Illinois, Department of Transportation, respectfully requests that the Commission enter an Order as follows:

- A. Designate grade crossing DOT/AAR 543-296B as "EXEMPT" within the meaning of Section 18c-7401 of the Illinois Commercial Transportation Law;
- B. Direct the Petitioner to install and maintain "EXEMPT" signs upon the sign posts at its own cost; and
- C. Provide for such other or further relief as the Commission may deem appropriate.

#### Count V

1. A rail line currently owned by the Norfolk Southern Railway Company, one of the respondents herein ("NS"), is situated in Blue Ridge Road District ("District"), which is directly east of the City of Farmer City.
2. That within the District limits, Township Road 1100E is a public roadway under the jurisdiction of the District, which crosses the aforesaid line of railroad at grade. Said crossing is identified as DOT/AAR 543-294M.
3. That approximately 50 feet north of the at-grade crossing, Township Road 1100E intersects with Illinois Route 150 (A location map reflecting the location of this crossing is attached hereto and marked as Exhibit A).
4. That Illinois Route 150 is under the jurisdiction of the Department, and that all highway traffic control devices/signs governing the flow of traffic along Illinois Route 150 and the flow of traffic to and from Township Road 1100E are under Department jurisdiction.
5. The aforesaid crossing is currently protected by cross-bucks (A photograph of the crossing is attached hereto and marked as Group Exhibit B-5).

6. Highway traffic over the aforesaid crossing is substantial in volume, which includes school buses and other large vehicles required to stop at all railroad grade crossings. Due to the short storage space, larger vehicles negotiating the at-grade in question encroach the eastbound lane of Illinois Route 150 during the required stop.
7. Railroad traffic on the rail line over the aforesaid crossing is zero. More specifically, the trackage has been disconnected from the mainline track at a location approximately 5.6 miles west and at another location approximately 1.5 miles east of the crossing in question. Said crossing is no longer in service. (Photographs showing the locations where the track is disconnected are attached hereto and marked as Group Exhibit C-1, C-2 and C-3 respectively).
8. By reason of the lack of railroad traffic and the large volume of highway traffic over the aforesaid crossing, stopping at the crossing is an unnecessary restriction on certain aforementioned vehicles according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law.
9. The installation of "EXEMPT" signage on either side of the railroad tracks of the at-grade crossing is necessary in the interest of public safety.
10. The Department agrees to bear the cost for the requested relief.

WHEREFORE, Petitioner, State of Illinois, Department of Transportation, respectfully requests that the Commission enter an Order as follows:

- A. Designate grade crossing DOT/AAR 543-294M as "EXEMPT" within the meaning of Section 18c-7401 of the Illinois Commercial Transportation Law;
- B. Direct the Petitioner to install and maintain "EXEMPT" signs upon the sign posts at its own cost; and
- C. Provide for such other or further relief as the Commission may deem appropriate.

#### Count VI

1. A rail line currently owned by the Norfolk Southern Railway Company, one of the respondents herein ("NS"), is situated in Blue Ridge Road District ("District"), which is directly east of the City of Farmer City.
2. That within the District limits, Township Road 1200E is a public roadway under the jurisdiction of the District, which crosses the aforesaid line of railroad at grade. Said crossing is identified as DOT/AAR 543-292Y.
3. That approximately 50 feet north of the at-grade crossing, Township Road 1200E intersects with Illinois Route 150 (A location map reflecting the location of this crossing is attached hereto and marked as Exhibit A).
4. That Illinois Route 150 is under the jurisdiction of the Department, and that all highway traffic control devices/signs governing the flow of traffic along Illinois Route 150 and the flow of traffic to and from Township Road 1200E are under Department jurisdiction.
5. The aforesaid crossing is currently protected by one (1) cross-buck (A photograph of the crossing is attached hereto and marked as Group Exhibit B-6).

6. Highway traffic over the aforesaid crossing is substantial in volume, which includes school buses and other large vehicles required to stop at all railroad grade crossings. Due to the short storage space, larger vehicles negotiating the at-grade in question encroach the eastbound lane of Illinois Route 150 during the required stop.
7. Railroad traffic on the rail line over the aforesaid crossing is zero. More specifically, the trackage has been disconnected from the mainline track at a location approximately 6.6 miles west and at another location approximately 0.5 miles east of the crossing in question. Said crossing is no longer in service. (Photographs showing the locations where the track is disconnected are attached hereto and marked as Group Exhibit C-1, C-2 and C-3 respectively).
8. By reason of the lack of railroad traffic and the large volume of highway traffic over the aforesaid crossing, stopping at the crossing is an unnecessary restriction on certain aforementioned vehicles according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law.
9. The installation of "EXEMPT" signage on either side of the railroad tracks of the at-grade crossing is necessary in the interest of public safety.
10. The Department agrees to bear the cost for the requested relief.

WHEREFORE, Petitioner, State of Illinois, Department of Transportation, respectfully requests that the Commission enter an Order as follows:

- A. Designate grade crossing DOT/AAR 543-292Y as "EXEMPT" within the meaning of Section 18c-7401 of the Illinois Commercial Transportation Law;
- B. Direct the Petitioner to install and maintain "EXEMPT" signs upon the sign posts at its own cost; and
- C. Provide for such other or further relief as the Commission may deem appropriate.

Respectfully submitted,  
ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Lisa Madigan  
Attorney General



Stacey C. Hollo  
Special Assistant Attorney General

Dated

Jan 22, 2003  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 311  
Springfield, Illinois 62764  
Telephone (217)782-3215

## ILLINOIS COMMERCE COMMISSION

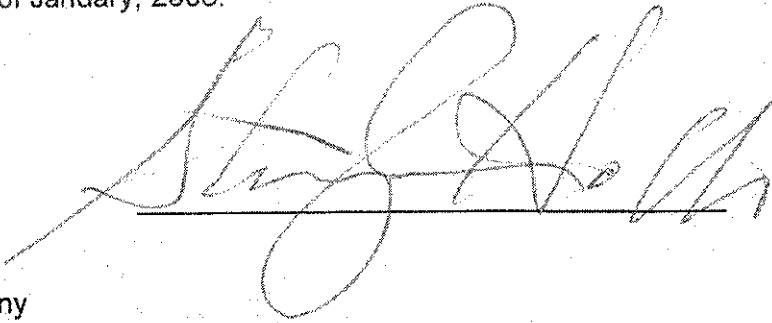
Docket No.

Counsel for the Illinois  
Department of Transportation



## PROOF OF SERVICE

The undersigned hereby certifies that copies of the foregoing instruments were served upon the addressees listed below by mailing a true and correct copies via first class mail, postage pre-paid and depositing the same in the United States Mail, Springfield, Illinois, this 22nd day of January, 2003:

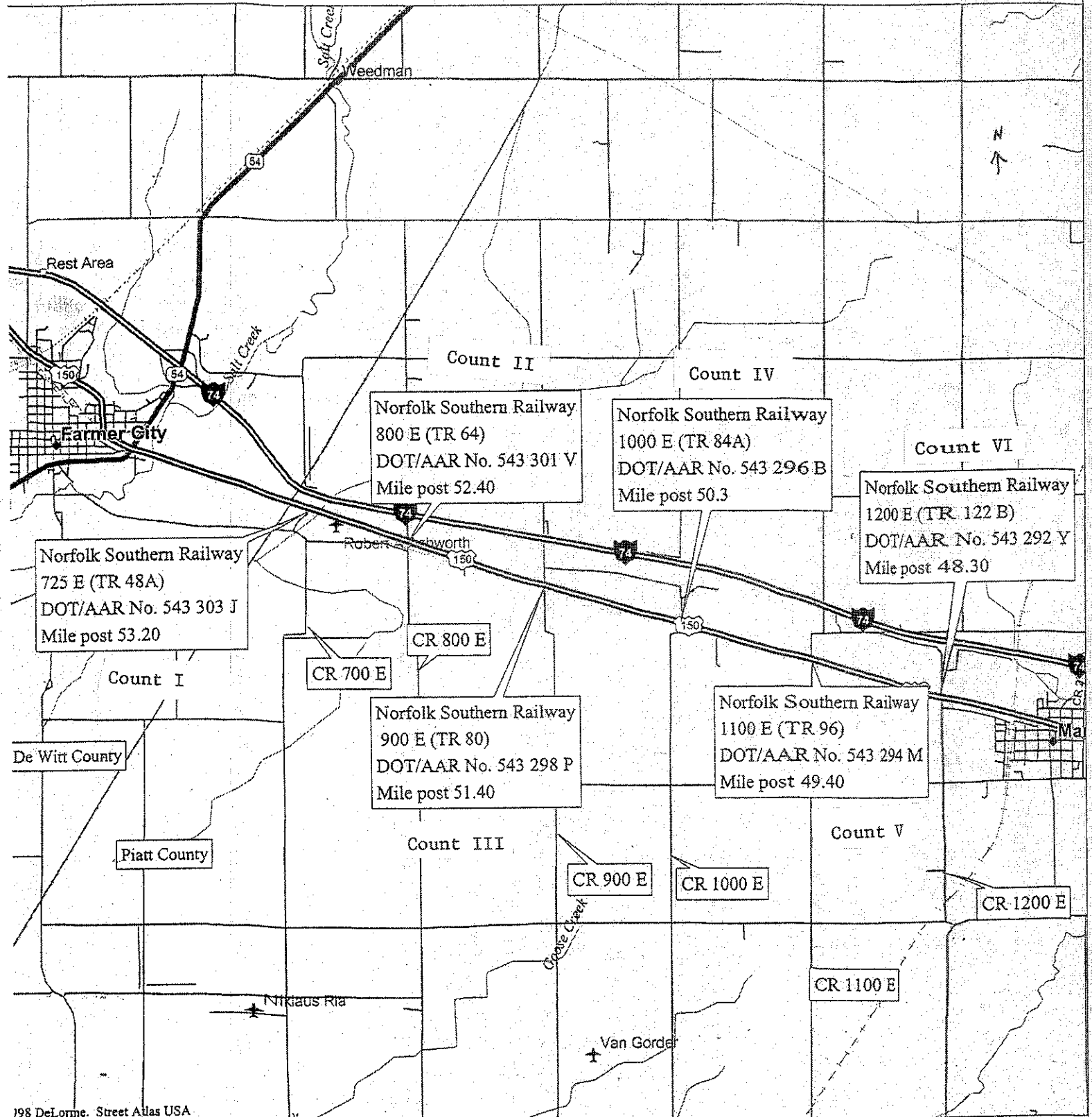
A handwritten signature in dark ink, appearing to read "Richard E. Boyle", is written over a horizontal line.

Norfolk Southern Railway Company  
Richard E. Boyle  
5000 West Main St., Box 23560  
Belleville, IL 62223-9000

Gary Harper  
Highway Commissioner  
2776 N. 10100 E. Rd.  
Mansfield, IL 61854

# LOCATION MAP

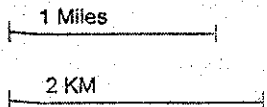
EXHIBIT # A



1998 DeLorme. Street Atlas USA

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Scale 1:62,500 (at center)



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|---------------------------|-------------------|
| Local Road                | Utility/Pipe      |
| Major Connector           | Railroad          |
| Primary State Route       | Point of Interest |
| Interstate/Limited Access | Small Town        |
| US Highway                | Airfield          |